

Rex Shannon

From: Navketan Aujla <Navketan_Desai@mssd.uscourts.gov>
Sent: Wednesday, June 18, 2025 9:06 PM
To: Doug Miracle; Rex Shannon; Lisa Reppeto; rbm_mcdufflaw.com; Joshua Tom
Cc: Terri Barnes
Subject: request Response to email regarding hearing/status conf TRO/PI No. 3:25-cv-00417-HTW-LGI

Good Evening, All:

Judge Wingate asks that a response the TRO be filed on or before Monday, June 23, 2025. We will set a hearing for Tuesday, June 24, at 1:00 PM.

Thank you.

Respectfully,

Navketan Aujla

Career Law Clerk to Hon. Henry T. Wingate
United States District Court
Southern District of Mississippi
501 East Court Street
Jackson, MS 39201
Tel: (601) 608-4100
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Rex Shannon

From: Robert B. McDuff <rmcduff@mscenterforjustice.org>
Sent: Wednesday, June 18, 2025 7:11 PM
To: MSSDdb_Wingate_Chambers; Doug Miracle; Joshua Tom; Rex Shannon; Lisa Reppeto; Robert B. McDuff
Subject: RE: request regarding hearing/status conf TRO/PI No. 3:25-cv-00417-HTW-LGI

Dear Judge Wingate,

Following up on our email exchange of last week, today we filed our Motion for TRO and Preliminary Injunction in this First Amendment case challenging free speech restrictions for Mississippi's public schools, colleges, and universities in HB 1193, the legislature's recent so-called anti-DEI bill. I am writing to ask if we could have a status conference and oral argument on the TRO either later this week or at your earliest convenience next week. Although the Defendants may not have had an opportunity to respond in writing to our motion, they are fully aware of our claims from the Complaint we filed early last week and will have an opportunity to read our memo and present any countervailing arguments to the TRO request when we meet with you.

Copied here are Doug Miracle, Rex Shannon, and Lisa Reppeto of the Attorney General's office. They represent three of the four defendants in this case --- the Mississippi State Board Of Education, the Mississippi Community College Board, and the Mississippi Charter School Authorizer Board. They apparently do not represent the Mississippi State Board of Education for IHL but they can certainly communicate with whoever is representing that board to inform them of any hearing and status conference the Court sets. All defendants were served shortly after the complaint was filed and we sent a copy of the complaint to the Attorney General's Office immediately after it was filed and had alerted them to the upcoming filing three days earlier.

Thank you for your consideration of this request.

Rob McDuff
Co-Counsel for Plaintiffs
601-259-8484

From: MSSDdb_Wingate_Chambers <Wingate_Chambers@mssd.uscourts.gov>
Sent: Tuesday, June 10, 2025 4:10 PM
To: Robert B. McDuff <rmcduff@mscenterforjustice.org>; doug.miracle@ago.ms.gov; Joshua Tom <jtom@aclu-ms.org>; [rbrm mcdufflaw.com](mailto:rbrm@mcdufflaw.com) <rbrm@mcdufflaw.com>
Cc: MSSDdb_Wingate_Chambers <Wingate_Chambers@mssd.uscourts.gov>
Subject: Re: request regarding hearing/status conf TRO/PI No. 3:25-cv-00417-HTW-LGI

Counsel,

Thank you for your inquiry. At this point, this Court does not intend to hold a status conference next week. This Court likely would set a hearing to proceed once a motion for TRO or preliminary injunction is filed, should this Court deem a hearing appropriate.

From: Robert B. McDuff <rmcduff@mscenterforjustice.org>

Sent: Tuesday, June 10, 2025 1:39 PM

To: MSSDdb_Wingate_Chambers <Wingate_Chambers@mssd.uscourts.gov>

Cc: doug.miracle@ago.ms.gov <doug.miracle@ago.ms.gov>; Joshua Tom <jtom@aclu-ms.org>; rbm_mcdufflaw.com <rbm_mcdufflaw.com>

Subject: request regarding hearing/status conf TRO/PI No. 3:25-cv-00417-HTW-LGI

CAUTION - EXTERNAL:

Dear Judge Wingate,

Yesterday, we filed the attached complaint in a First Amendment case that was assigned to you. It is a challenge to various free-speech restrictions for public universities and K-12 schools in Mississippi contained in HB 1193 of the 2025 legislative session, which was known as an “anti-DEI” bill. We will be filing, hopefully by Friday or early next week, a motion for preliminary injunction and also a motion for temporary restraining order pending resolution of the preliminary injunction motion.

I am writing to inquire if your schedule permits, and if you deem it advisable to hold, a brief non-evidentiary hearing and status conference next week (week of July 16) to discuss the TRO request and also the procedure going forward and then possibly a preliminary injunction hearing the following week (week of July 23). (I am going to be out of Mississippi for the month of July although my presence is not essential).

Copied here is Doug Miracle of the Mississippi Attorney General’s office. As you and the other judges of the Court are aware, we have often worked with the Attorney General’s office in matters relating to TROs and PIs and have always attempted to present our opposing positions as efficiently as possible so that we can fully inform the Court without unnecessarily wasting your time. I anticipate we can continue to do so in this case. I think a status conference next week could be helpful in that regard.

Thank you and best wishes.

Sincerely,

Rob McDuff

Cc: Joshua Tom

Doug Miracle

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